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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **NUTS FOR CANDY, A Sole Proprietorship,**
14 individually and on behalf of all other similarly
situated,

15 Plaintiff,

16 vs.

17 **GANZ, INC., a Canadian Company, and**
18 **GANZ U.S.A. LLC,**

19 Defendants.

Case No. 3:08-CV-2873

**[PROPOSED] ORDER
APPOINTING INTERIM CLASS
COUNSEL**

[FED. R. CIV. P. 23(g)]

Date: August 22, 2008
Time: 9:00 a.m.
Judge: Hon. Jeffrey S. White
Courtroom: Courtroom 2, 17th Floor

1 Now pending before the Court is an application by Nuts for Candy, pursuant to Federal
2 Rule of Civil Procedure 23(g), for appointment of interim class counsel for a proposed class
3 defined as:

4 All persons and entities in the United States who were required as a
5 condition of their purchase of Webkinz to purchase products from
Ganz's "core line" of products.

6 After carefully considering this application, and the requirements of Rule 23(g)(1)(C), the
7 Court concludes that one law firm can effectively represent the interests of the class, and that the
8 law firm of Cotchett, Pitre & McCarthy is "best able to represent the interests of the class." Fed.
9 R. Civ. P. 23(g)(2)(B).

10 As demonstrated by the application, Cotchett, Pitre & McCarthy meets all of the
11 standards set forth in Rule 23(g)(1)(B). The firm has performed substantial work in identifying
12 and investigating potential claims in the action, it is experienced in the handling of complex
13 antitrust class actions, has extensive knowledge in the applicable law, and has appropriate
14 resources to properly represent the class.

15 The motion is granted, and the law firm of Cotchett, Pitre & McCarthy is hereby appointed
16 interim lead class counsel for the plaintiff class pursuant to Rule 23(g), subject to further order
17 from the Court.

18 **IT IS SO ORDERED.**

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20 Dated: August _____, 2008

21 JEFFREY S. WHITE
22 UNITED STATES DISTRICT JUDGE
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